

1 Q And did you provide service to Bergen County with  
2 that station?

3 A Yes.

4 Q And WJUX Franklin Lakes was rebroadcast by the  
5 Fort Lee translator station, was it not?

6 A Yes.

7 Q In that instance, the Fort Lee translator with a  
8 power of 35 watts was actually more powerful than the  
9 Franklin Lakes station at 10 watts, was it not?

10 A Yes.

11 Q But the signal being transmitted over W276AQ, the  
12 Fort Lee translator, there has been no increase in power of  
13 the translator station. It's operating with the same power  
14 now as it was when you're retransmitting WJUX, it's  
15 operating at the same power now as it was in the period of  
16 1993 - 1994, when you were rebroadcasting which was then  
17 WJUX Franklin Lakes, New Jersey; is that correct, sir?

18 A Yes.

19 Q So the service to Bergen County, there would be no  
20 difference in the service to Bergen County between what you  
21 could provide on the Franklin Lakes -- the Franklin Lakes  
22 station and rebroadcasting WJUX?

23 A Well, you're talking about electrically, correct,  
24 in terms of coverage? You're talking about --

25 Q Signal coverage, yes.

1 A I'm sorry. I didn't hear you.

2 Q As far as ability to signal coverage.

3 A Yes.

4 Q And you could put as much news, public affairs,  
5 public service announcements, as much local programming as  
6 you wanted with the exception of local ad sales on WJUX  
7 Franklin Lakes, could you not?

8 A The only thing I'm having a problem with is local  
9 ad sales.

10 Q Well, you couldn't put those on WJUX in Franklin  
11 Lakes, could you?

12 A Well, you could do advanced underwriting.

13 JUDGE STEINBERG: I didn't understand you. It  
14 just go garbled in my ear.

15 THE WITNESS: I'm sorry.

16 BY MR. HELMICK:

17 Q You could do enhanced underwriting as a nonprofit  
18 station, right?

19 A Correct.

20 Q But you can't sell commercial time?

21 A On Franklin Lakes?

22 Q On Franklin Lakes.

23 A No.

24 Q Because it was a noncommercial station, right?

25 A That is correct.

1 Q Everything else that you're doing with your  
2 programming right now on the Jukebox Network you could do  
3 with the Franklin Lakes station with the exception of sell  
4 network time; is that correct?

5 A Basically. I really need time to think that out.  
6 Basically.

7 Q Well, take your time.

8 A I -- basically, yes.

9 Q When you first learned of the availability of the  
10 WXTM construction permit in Monticello, New York, I believe  
11 that you first learned about this from Mr. Fishman in a call  
12 from Mr. Fishman?

13 A That is correct.

14 Q And you brought the potential availability of the  
15 construction permit to Mr. Weis; you made -- you went to Mr.  
16 Weis and said, "Hey, there is this permit available"?

17 A That is correct.

18 Q Were you looking towards helping Mr. Weis as your  
19 friend to get this permit, or did you look upon this as  
20 being advantageous to your plans?

21 A Both.

22 Q Would you explain your answer, sir?

23 A Well, I knew Mr. Weis, and he always talked about  
24 one day owning a radio station having built them for so  
25 long, and at the same time I really -- I was looking forward

1 to starting a Jukebox Radio Network, and having additional  
2 affiliates, and he would be the first affiliate.

3 Q But in fact WJUX Monticello is your only -- is and  
4 has been your only affiliate station; is that not correct?

5 A Due to circumstances beyond my control, correct.

6 Q Are the circumstances which are beyond your  
7 control this legal proceeding?

8 A Yes.

9 Q I would like to turn your attention to the actual  
10 network affiliation agreement itself, Mr. Turro. And I  
11 think I will refer you to page -- turn to Bureau Exhibit 8,  
12 Bates stamp page 137.

13 Now, you've reviewed this document previously,  
14 have you not?

15 A Yes.

16 Q Who prepared the network affiliation agreement  
17 document? Who drafted that? Do you know?

18 A No, I don't know.

19 Q Did you do it?

20 A I don't know.

21 Q Sir, there is only one Jukebox Network affiliation  
22 agreement, is there not?

23 A The one I --

24 Q Talking about -- yes, we're talking about a  
25 unique, a one time only document?

1 A Yes.

2 Q And you don't recall who prepared this document?

3 A No.

4 Q Do you think it might have been your law firm?

5 A Might have been.

6 Q Koteen & Naftalin?

7 A Might have been.

8 Q Was it in fact your law firm that prepared this?

9 A I don't know.

10 Q Do you know, sir, or recall or have any  
11 understanding as to why this agreement took the form of a  
12 network affiliation agreement as opposed to a time brokerage  
13 agreement?

14 A I believe it was under advice of counsel.

15 Q Does that refresh your recollection as who may  
16 have prepared this document?

17 A No.

18 Q Do you have an understanding that you could not  
19 have a time brokerage relationship arrangement with Mr. Weis  
20 and MMBI?

21 A I don't recall what the circumstances were  
22 surrounding this.

23 Q Do you recall whether you were advised that it  
24 would be -- I'll withdraw that question.

25 Was it your understanding that with a network

1 affiliation agreement there would be less likelihood of --  
2 typically, less likelihood of involvement with a control  
3 elements, if you will, involvement in the control of an  
4 affiliate station -- let me withdraw that. That doesn't  
5 make any -- I'll withdraw that question.

6 A Mr. Helmick, may I ask you a question?

7 Q No, I'm withdrawing the question.

8 A May I ask you a question? Are we almost done?

9 JUDGE STEINBERG: Do you want to take a break?

10 MR. HELMICK: We can break for lunch, Your Honor.

11 THE WITNESS: I mean, if it's only a couple more  
12 minutes, I'll be fine. But I can tell my sugar is going  
13 nuts.

14 MR. HELMICK: I have a number of questions.

15 Do you want to take a lunch break?

16 JUDGE STEINBERG: Yes, we'll take lunch.

17 And let me just ask Mr. Riley, do you have  
18 questions?

19 MR. RILEY: I have a few, I think, Your Honor.

20 JUDGE STEINBERG: Okay.

21 MR. NAFTALIN: I have a few.

22 MR. RILEY: Mr. Helmick may cover mine for me,  
23 though.

24 MR. HELMICK: Gee, now I'm really worried.

25 MR. RILEY: Well, I'm just trying to scare you.

1 (Laughter.)

2 MR. NAFTALIN: Well, when we come back from lunch  
3 you will surprise us.

4 JUDGE STEINBERG: Okay, it's 12:40 now. When  
5 would we like to come back?

6 MR. NAFTALIN: An hour. Jerry?

7 THE WITNESS: One-thirty.

8 MR. NAFTALIN: Do you need a rest?

9 THE WITNESS: No, no, I can tell --

10 MR. NAFTALIN: How about a whole hour.

11 JUDGE STEINBERG: How about -- what about 1:45?

12 MR. HELMICK: 1:45.

13 JUDGE STEINBERG: So we will break until 1:45.

14 (Whereupon, at 12:40 p.m., the hearing was  
15 recessed, to resume at 1:45 p.m., this same day, Friday,  
16 December 12, 1997.)

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1 A F T E R N O O N S E S S I O N

2 (1:48 p.m.)

3 JUDGE STEINBERG: We will go back on the record  
4 now.

5 Mr. Helmick.

6 MR. HELMICK: Thank you, Your Honor.

7 Whereupon,

8 GERARD A. TURRO

9 having been previously duly sworn, was recalled as a witness  
10 herein, and was examined and testified further as follows:

11 CROSS-EXAMINATION (Resumes)

12 BY MR. HELMICK:

13 Q Mr. Turro, a couple of follow-up questions. My  
14 co-counsel here was good enough to write out in plain  
15 English some of the questions I was going to articulate but  
16 unable to do so.

17 Here is a question for you. The FCC said  
18 repeatedly that you could not directly originate programming  
19 on Fort Lee from your Dumont studio.

20 Is it your understanding that it would be  
21 permitted to indirectly originate programming on the Fort  
22 Lee translator by effectively sending the same programming  
23 from Dumont to Fort Lee but via Monticello and Pomona?

24 A Could you repeat the question, please?

25 JUDGE STEINBERG: Basically, what he wants to know



1 is whether you found a way to do indirectly that which the  
2 Commission stated you could not do directly.

3 Is that your question?

4 MR. HELMICK: That's it, Your Honor.

5 THE WITNESS: I don't know.

6 MR. HELMICK: All right, we will move on to the  
7 next question then.

8 BY MR. HELMICK:

9 Q If you had obtained -- you were trying to obtain  
10 local origination authority from the Commission for the Fort  
11 Lee translator before 1994, were you not?

12 A Yes.

13 Q If you had been successful in obtaining local  
14 origination authority from the Commission before 1994, would  
15 you have arranged for a network affiliation agreement with  
16 MMBI?

17 A Yes.

18 Q Would there have been a need for a network  
19 affiliation in 1994?

20 JUDGE STEINBERG: Given the premises --

21 BY MR. HELMICK:

22 Q Given the premise that I just gave.

23 A A need for who?

24 Q If you had obtained origination authority for the  
25 Fort Lee translator before October of 1994, given that

1 premise, would you have arranged for a network affiliation  
2 agreement with MMBI, and secondly, would there have been a  
3 need for a network affiliation arrangement?

4 A Yes. Yes.

5 Q I think before the break we were starting to talk  
6 about -- well, let me back up.

7 When did you receive a call from Mr. Fishman  
8 regarding his Monticello construction permit?

9 A Some time in 1994.

10 Q Can you put a better time frame on it?

11 A No, I cannot.

12 Q Do you recall when the application, assignment  
13 application for MMBI to acquire the construction permit was  
14 filed?

15 A No.

16 Q How did Mr. Fishman contact you? By phone,  
17 letter, in person?

18 A By phone.

19 Q And what did he say to you?

20 A He says, "I listen to Jukebox Radio. I read about  
21 it in the paper. I have a construction permit in  
22 Monticello, New York. I don't know anything about radio.  
23 What can you tell me?"

24 And we spoke, and I told him about how to build --  
25 I told him what it would -- he says, "Oh, that's how you

1 make money, through advertising?" I go, "Yes." I explained  
2 the whole thing.

3 And he says, "Well, you know, my son is very sick.  
4 I really don't think that I want to do anything with this  
5 radio station." He may have said to me the construction  
6 permit is about to expire. I don't know that for sure. But  
7 he says, "Do you know of anybody who would want to buy this  
8 thing from me?" I'm giving you the Reader's Digest  
9 version of my phone conversation.

10 Q All right. Did he know that -- did he know that  
11 you were -- strike that.

12 Did he call you because he knew that you were  
13 looking for a commercial construction permit or a commercial  
14 station to acquire?

15 A I don't believe so.

16 Q What did you do next after Mr. Fishman called you?

17 A In relation to the CP, him wanting to sell it?

18 Q Well, did he want to sell it?

19 A I believe he said to me, "Do you know of anybody  
20 who wants to buy this thing from me?" I'm giving you the  
21 rough cut of this.

22 I mean, I was discussing with Wes. I said, "By the  
23 way, somebody is looking to sell a construction permit up in  
24 Monticello, New York, wherever the devil that is." I said,  
25 "I know you have always wanted a radio station." I said,

1 "Give this guy a call."

2 Q Why did no one want to buy his construction  
3 permit? Is it because Monticello, New York is in a rural  
4 area?

5 A I never said no one wanted to buy his construction  
6 permit.

7 Q Oh, I thought said that Mr. Fishman said to you  
8 that no one -- having trouble selling this. No one wanted  
9 to --

10 MR. NAFTALIN: Object. I don't think he said  
11 anything like that.

12 MR. HELMICK: All right, I mist have misheard you.

13 BY MR. HELMICK:

14 Q What did Mr. Fishman say about --

15 A He says, "I have a construction permit. I would  
16 like to sell it. My son has been very sick. And I really  
17 don't -- basically, I'm not interested in building this  
18 right now because my son, who was an 18-year-old, was near  
19 death."

20 Q Did he say he would like to sell it to you?

21 A I don't recall.

22 Q Mr. Fishman called you up out of the blue and  
23 says, "I got this construction permit for Monticello, New  
24 York. I would like to sell it."

25 A No, that's not exactly what he said. It didn't

1 start off that way. He asked me about radio, how you make  
2 money at radio, how you build a radio station. This man  
3 knew nothing whatsoever about radio, zero.

4 And, you know, we got into a conversation and he  
5 says, "Geez, you know, you have to sell advertising to make  
6 money." You know he didn't have a clue. He says, "You  
7 know, I would really like to sell this construction permit.  
8 Do you know of anybody who might be interested in it?"

9 I said, "I really don't know."

10 Q And that was the end of the first conversation?

11 A Yes.

12 Q And then you thought of someone who might like to  
13 buy this station, correct?

14 A Yes.

15 Q And who was that someone? Wes Weis?

16 A Well, there were people who ran through my mind.  
17 Wes Weis was one of them, yes.

18 MR. NAFTALIN: Let me just say, you can call this  
19 an objection, but I think this line of questioning has been  
20 gone over by Mr. Aronowitz, and this looks like a cumulative  
21 line of questioning. We have been all over this by similar  
22 counsel, and I just think it's -- not to interrupt the fun,  
23 but it sure seems like exactly the same line of questioning  
24 Mr. Aronowitz asked.

25 JUDGE STEINBERG: Let me just ask, are these

1 preliminary questions to -- well, is this going to lead to  
2 anything other than what we already have in the record? If  
3 it is, I'll let you continue. If it's just a matter of  
4 getting a few more details about the Fishman phone call,  
5 phone calls, then I don't think it's worthwhile.

6 MR. HELMICK: They were preliminary questions,  
7 Your Honor, relating --

8 JUDGE STEINBERG: That's what I thought.

9 MR. NAFTALIN: Okay.

10 BY MR. HELMICK:

11 Q You said Mr. Fishman called you? What articles  
12 did he see in the paper that he was referring to? Do you  
13 know?

14 A No, I don't know.

15 Q Mr. Turro, I would like to have you go to Mass  
16 Media Bureau Exhibit 2, Bates stamp page 69. This is an  
17 article which -- in the Northern New Jersey Business  
18 newspapers. There is a date of November 30 - December 14,  
19 1994, which was approximately a month after WJUX began  
20 operation; is that correct?

21 A Approximately, yes.

22 Q I'm going to refer you to the first left hand  
23 column of that article. Would you read the last -- starting  
24 with "Acquiring the new affiliate," that paragraph -- well,  
25 excuse me. Start with "Just last month," that paragraph

1 beginning "Just last month," and read down to the next two  
2 paragraphs.

3 (Witness reviews document.)

4 THE WITNESS: Okay.

5 BY MR. HELMICK:

6 Q You've read them already?

7 A The first two. If it's only those two paragraphs,  
8 yes.

9 Q Well, it's all three paragraphs. There is a  
10 direct quotation.

11 A Okay. Sorry.

12 Okay.

13 Q Are you accurately quoted by the newspaper  
14 article?

15 A No.

16 Q You are not?

17 A No.

18 Q What did you state?

19 A I don't remember what I stated three years ago.

20 Q Why do you say you're not accurately quoted?

21 A Well, first of all, it wasn't doing over a million  
22 dollars a year; and second of all, how could it already be  
23 sold out?

24 Q I don't know. They quoted you.

25 A I have been misquoted in the paper so many times

1 already that this is just another one.

2 Q All right. That's just another misquote. Okay.

3 I want you to go to the same Bureau Exhibit 2,

4 Bates stamp -- let me see. Bates stamp 76, the famous

5 Beehive Restaurant.

6 A Beehive Restaurant to Beehive Gift Gallery?

7 Q Gift Gallery, excuse me.

8 A One has nothing to do with the other.

9 Q All right. You're right.

10 One beehive looks like another beehive.

11 JUDGE STEINBERG: This is a B-E-A hive.

12 MR. HELMICK: That's correct.

13 MR. RILEY: A "Beatrice hive," I think it is.

14 (Laughter.)

15 THE WITNESS: Okay.

16 MR. HELMICK: All right, sir.

17 BY MR. HELMICK:

18 Q Was this letter part of a sales package that's

19 distributed by Jukebox Radio?

20 A This letter is undated. This may be something

21 from when it was WJUX Franklin Lakes.

22 Q Okay. WJUX Franklin Lakes was a non-commercial

23 station?

24 A Right, which could sell 30 second commercials.

25 Q Well, Franklin Lakes was licensed to a nonprofit



1 entity, right?

2 A Correct.

3 Q And commercial spots were sold at that time -- you  
4 are the licensee of Fort Lee translator, right?

5 A Yes, sir.

6 Q And the commercial spots at that time were sold by  
7 FM 103.1, Inc?

8 A Yes, sir.

9 Q All right. When they refer to being an advertiser  
10 on Jukebox Radio, what would be they -- what would they be  
11 referring to when they say "Jukebox Radio"?

12 A Without having a date on this letter, I can't  
13 accurately answer that question.

14 Q All right. Go to the letter before that, Bates  
15 stamp 75. It's a letter from Feeney Funeral Home, Inc.

16 A Yes.

17 Q Addressed to Jukebox Radio, dated September 7,  
18 1994.

19 A Yes.

20 Q Before WJUX came on the air.

21 A Yes.

22 Q And they refer to advertising on your radio  
23 station. That would be the Fort Lee translator?

24 A Okay.

25 Q Well, that's what the letter --

1           A     I'm confirming what you're saying.

2                     I don't know if this letter actually -- it does  
3     say "advertising." I recall this, and he may be actually  
4     referring to public service announcements we ran for them  
5     for grief groups. So I think that's probably what he's  
6     referring to.

7           Q     Well, it says in the last paragraph, he says,  
8     "We've received great positive comments about the ad."

9           A     I don't know if a funeral director knows the  
10    difference between enhanced underwriting, which I don't  
11    think this was, or a public service announcement.

12          Q     All right.

13          A     And I want to answer your question. I remember  
14    these running as public service announcements.

15          Q     All right. Go to Bates stamp 77. Jim Hatterty,  
16    he's your -- at that time wasn't he the sales manager for  
17    Jukebox Radio in November 3, 1994?

18          A     He worked for me at the time. I don't know if he  
19    was sales manager at that time or not. But he did work for  
20    me as a salesperson.

21          Q     And that letter is dated November 3, 1994, a  
22    matter of days after WJUX went on the air.

23          A     Yes, sir.

24          Q     That refers to advertising on Jukebox Radio "last  
25    February"?

1           A     Yes.

2           Q     That would have been advertisements carried on the  
3 Fort Lee translator?

4           A     It may have been enhanced underwriting or it may  
5 have been advertising. I don't know.

6           JUDGE STEINBERG: What's enhanced underwriting?

7           THE WITNESS: Your Honor, when you have a non-  
8 commercial radio station, you are allowed to say things like  
9 "This hour of music on Jukebox Radio made possible by  
10 Allaberg Marketplace, 32 Guy 1 Avenue, Midland Park, New  
11 Jersey. Proud to serve your bird needs. Their phone number  
12 is," and basically when you do enhanced underwriting no call  
13 to action, no price, no comparison, no quality, no  
14 qualitative.

15          JUDGE STEINBERG: What's unenhanced?

16          THE WITNESS: Unenhanced would become a  
17 commercial.

18          (Pause.)

19          BY MR. HELMICK:

20          Q     Mr. Turro, back to the network affiliation  
21 agreement for a minute, MMBI Exhibit 8.

22          JUDGE STEINBERG: You mean Bureau Exhibit 8?

23          MR. HELMICK: I mean Bureau Exhibit 8, Bates  
24 stamp page 137.

25          THE WITNESS: Yes.

1 BY MR. HELMICK:

2 Q You've been here for the testimony for Mr. Weis.  
3 You have heard his testimony. You've read his written  
4 testimony.

5 A I don't know if I've read his written testimony or  
6 not.

7 Q Well, you have heard his testimony, right?

8 A Yes.

9 Q The dollar amounts that appear in the network  
10 affiliation agreement, it's your testimony that Mr. Weis,  
11 there was no negotiation of these dollar amounts, that Mr.  
12 Weis just gave you the numbers to plug into this agreement?

13 A I believe that is correct.

14 Q You didn't question the numbers? There was no  
15 negotiation on this?

16 A I don't have any recollection of doing that.

17 Q Did you have any understanding as to what these  
18 dollar amounts represented?

19 I mean, how did Mr. Weis come up with -- did you  
20 understand how Mr. Weis came up with these dollar amounts?  
21 Did he ever tell you that?

22 A I never asked him.

23 Q You weren't at all curious?

24 A No.

25 Q Mr. Weis had given you -- say for the first year,

1 instead of paying him \$8,575 a month, what if he said he  
2 wanted \$15,000 a month, would you have paid that without any  
3 question?

4 A If it made sense for the network, yes.

5 Q Did you understand the network compensation paid  
6 to MMBI to at least -- for the purpose of that compensation  
7 to at least cover the capital and operating and costs of  
8 WJUX?

9 A I have no idea.

10 Q So when you state on page 6 of your direct written  
11 testimony that at the bottom of --

12 JUDGE STEINBERG: Wait, wait, wait.

13 THE WITNESS: Yes. Bottom of page 6?

14 BY MR. HELMICK:

15 Q Third line from the bottom you state that, "Nor  
16 did I or Jukebox Radio pay for any of the costs of  
17 constructing the Monticello station or any of its  
18 facilities."

19 You know that you did not directly pay for those  
20 costs, correct?

21 A Definitely.

22 Q So your testimony that you do not know whether you  
23 indirectly paid for those costs?

24 A I have no idea.

25 JUDGE STEINBERG: The sentence that Mr. Helmick

1 just referred you to, when you said, "Nor did I or Jukebox  
2 Radio pay for any of the costs of construction the  
3 Monticello station or any of its facilities," what did you  
4 mean?

5 THE WITNESS: I did not buy the transmitter; cause  
6 a check to be cut and made out payable to Energyonics. I  
7 didn't make a check payable for the remote control unit. I  
8 did not pay out of my own pocket for the equipment.

9 BY MR. HELMICK:

10 Q Well, sir, when you say "Jukebox Radio," do you  
11 mean either yourself, BCCBF, FM 103.1, Inc.?

12 A That is correct.

13 Q All three of those entities would be you, right?

14 JUDGE STEINBERG: Well, it says "I" in there.

15 MR. HELMICK: "I or Jukebox Radio."

16 JUDGE STEINBERG: So the "I" is already in there.

17 MR. HELMICK: Right. You know, I think this is  
18 getting a little farfetched because if I make a statement  
19 that I did not pay for the construction of the B-1 bomber  
20 and you're going to question me and say did my tax dollar go  
21 into the construction of a B-1 bomber, then I think we're  
22 accomplishing virtually nothing.

23 So if you could -- if there is a point to be made,  
24 could you make it and we'll move on to the next one? I can  
25 understand your asking the question, and I don't quibble

1 with you for asking the question. But I think you have your  
2 answer and --

3 MR. HELMICK: All right, we'll move on, Your  
4 Honor.

5 JUDGE STEINBERG: Yes.

6 MR. HELMICK: I think it's as good as we can get.

7

8 BY MR. HELMICK:

9 Q Mr. Turro, you have heard Mr. Luna's direct oral  
10 testimony or cross-examination, rather, and read his direct  
11 statement in this proceeding, have you not?

12 A Yes, sir.

13 Q And Mr. Luna's description of the incident that  
14 occurred on either April 13 or April 14, 1995, in that time  
15 frame, are you familiar with that?

16 A I'm familiar with his statement; yes, sir.

17 Q And you categorically state that at no time did  
18 you talk with Mr. Luna by telephone on either of those two  
19 dates about anything?

20 A I believe I said I don't recall speaking to him,  
21 and I do not recall speaking to him.

22 Q Do you recall -- you don't recall speaking to him  
23 about anything?

24 A No, sir. There was basically no reason to.

25 Q The incident -- forget about the deception portion

1 of the incident, what Mr. Luna perceived to be a deception  
2 of information, the incident as described by Mr. Luna, you  
3 recall no discussion with Mr. Luna concerning anything  
4 remotely related to that incident?

5 A Mr. Helmick, I have struggled over this, and that  
6 incident as an engineer makes no sense to me at all.

7 Q Now, I'm not asking you --

8 A Okay.

9 Q -- as an engineer. I'm asking you as a layperson.  
10 I'm not saying -- Mr. Luna may have a misunderstanding about  
11 the procedures he was asked to do and what they were  
12 supposed to accomplish. Forget about that.

13 Did the discussion described by Mr. Luna in his  
14 statement and testimony, anything remotely resembling that  
15 happen in a phone conversation with you on either April 13  
16 or April 14 --

17 A No.

18 Q -- 1995?

19 A No.

20 Q Did it occur at any other time?

21 A No.

22 Q During the time of Mr. Luna's employment with you  
23 and to this date, do you regard Mr. Luna as a truthful  
24 person?

25 A No.



1 Q And why is that, sir?

2 A After reading these statements, after reading the  
3 things he said, I don't have all of them in front of me to  
4 be specific, either he's gravely mistaken or not telling the  
5 truth. When he left, I asked him to stay. I begged him to  
6 say because I liked him as a person. And he said he was  
7 going to stay, he would think about it, and he left anyway.  
8 There are things that have come back to me from ex-employees  
9 of Universal of things that he has said, which I know were  
10 not true. Couldn't even be close to being true.

11 So I -- no, I wouldn't trust him. No.

12 Q These are all, what you're hearing from ex-  
13 employees are all hearsay. You have no direct knowledge  
14 that Mr. Luna is a dishonest person?

15 A The only direct knowledge I have, Mr. Helmick, is  
16 what I have in front of me on paper.

17 Q You're talking about his statements?

18 THE WITNESS: Yes, sir.

19 BY MR. HELMICK:

20 Q Mr. Turro, this morning your response to a  
21 question from Mr. Aronowitz you volunteered the fact, you  
22 raised the issue. I believe you stated that you did  
23 simulate the reception of WJUX Franklin Lakes, the off-air  
24 reception at WJUX at Franklin Lakes at the Fort Lee  
25 translator, did you not?